IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 4TH OCTOBER 2007 / 12TH ASWINA 1929

Bail Appl..No. 6032 of 2007()

CMP.7087/2007 of J.M.F.C.,KATTAKADA
CR.NO.62/07 OF KATTAKADA EXCISE RANGE.

.....

PETITIONER/ACCUSED:

THANKAMMA, W/O. MANIAN,
RESIDING AT PUNNAN VEEDU, VARUVILAKOM,
POTTAYIL KURAKONATHU, VILAVOORKAL DESOM,
VILAVOORKAL VILLAGE, NEYYATTINKARA TALUK.

BY ADV. SRI.T.A.UNNIKRISHNAN
SRI.K.SATHEESH KUMAR

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/10/2007 ALONG WITH B.A.NO.6036/07, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NOs. 6032 & 6036 of 2007

Dated this the 4th day of October, 2007

ORDER

Applications for regular bail. The common petitioner – a woman, faces allegations in two separate crimes – both registered under the Kerala Abkari Act. She was allegedly found to be in possession of 3 litres of arrack on 1/9/07 and 5 litres of arrack earlier on 10/8/07. She was arrested on 1/9/07 in the later crime and her arrest was recorded in the earlier crime after she was produced on 17/9/07 before court. The petitioner continues in custody from 1/9/07. The learned Public Prosecutor points out that the petitioner is an accused in 3 other cases also under the Abkari Act.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) These applications are allowed. The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall not be released from custody on the strength of this order prior to 18/10/07. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

(ii) The petitioner shall execute a bond for Rs.50,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(iii) The petitioner shall make herself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of two months from the date of her release from custody and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

Nan/